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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,301	11/03/2000	Koichi Saito	207198	6724

23460 7590 07/01/2002

LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

EXAMINER

EWOLDT, GERALD R

ART UNIT	PAPER NUMBER
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1644

DATE MAILED: 07/01/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

Notice of Non-Compliant Amendment (37 CFR 1.121)

Applicant's election of the oil component (A) comprising a fatty acid ester, an emulsifier (B) comprising a partial ester of polyhydric alcohol and a fatty acid, and an emulsifier (D) comprising a non-ionic surfactant with a polyoxyethylene chain, filed 4/05/02 is acknowledged. However, said election is considered nonresponsive as neither a fatty acid ester, a partial ester of polyhydric alcohol and a fatty acid, nor a non-ionic surfactant with a polyoxyethylene chain comprise a species as required. Applicant is advised that a species of oil component (A) would be one such as is listed in paragraph 2 at page 5 of the specification, a species of emulsifier (B) would be one such as is listed in paragraph 5 at page 6 of the specification, and a species of emulsifier (D) would be one such as is listed in paragraph 3 at page 8 of the specification.

Since the reply filed on 4/05/02 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)

Any inquiry concerning this communication should be directed to Examiner **G.R. Ewoldt**, Art Unit 1644, whose telephone number is 703-308-9805. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

G.R. Ewoldt, Ph.D.  
Patent Examiner  
Tech Center 1600  
June 1, 2002